

Notice of Allowability

Application No.

09/239,414

Examiner

Jefferey F Harold

Applicant(s)

UMSTETTER ET AL.

Art Unit

2644

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed 8/24/2004.
2. ☒ The allowed claim(s) is/are 1-3,5,6,8,9,17 and 19-21.
3. ☒ The drawings filed on 28 January 1999 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
(a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
(b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

DETAILED ACTION

Allowable Subject Matter

1. ***Claims 1-3 5, 6, 8, 9, 17, and 19-21*** are allowed.
2. The following is an examiner's statement of reasons for allowance:

Regarding **claim 1**, the prior art of record discloses a method for extending capability of a telephone comprising steps of: enabling a telephone to store call-related data in memory located within said telephone; enabling a computer to alternatively store said call-related data in memory located within said computer; receiving first call-related data at said telephone; recognizing that said first call-related data is to be stored in memory; determining, within said telephone, whether said first call-related data will be stored in said telephone memory or said computer memory; storing said first call-related data in said telephone memory or said computer memory based upon said determination; enabling a first processor located within said telephone to process data received at said telephone; enabling a second processor located within said computer to process data received at said telephone; wherein said telephone is enabled to perform telephone functions independently of said computer, but is reliant upon cooperation with said computer in performing said particular telephone function, however the prior art of record failed to disclose or fairly suggest recognizing that said first call-related data received at said telephone is to be processed in order to provide a particular telephone function for continued handling of at least one current call; and determining, within said telephone, whether said first call-related data will be processed during said at least one current call by said first processor or said second processor,

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including at least partially basing said determining upon whether said telephone has the processing capability to provide said particular telephone function, said telephone thereby controlling said first call-related data with respect to which of two structurally separate components will perform processing thereon, said step of determining whether said first call-related data will be processed by said first processor or said second processor being unrelated to said step of storing said first call-related data.

Regarding **claim 17**, the prior art of record discloses a method of extending the capability of a telephone comprising the steps of: enabling a first processor resident in a telephone to process data received at said telephone; enabling a second processor resident in a computer to process data received at said telephone; establishing a direct data connection between said telephone and said computer, wherein said telephone and said computer are structurally separate components located within a common workspace and wherein said telephone is configured to perform telephone functions independently of said computer; receiving call-related data at said telephone; and processing said call-related data in either said telephone or said computer based upon said determination made using said automated processing capabilities, however, the prior art of record fails to disclose or fairly suggest recognizing that said call-related data requires further processing and that both said first processor and said second processor are currently available to execute said further processing; determining, using automated processing capabilities of said telephone, whether said call-related data will be processed in said first processor or said second processor, including basing said

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determination upon automated processing performed by said telephone and upon current capabilities of said telephone and said computer other than storage capabilities.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jefferey F Harold whose telephone number is 703-306-5836. The examiner can normally be reached on Monday - Friday 9 am - 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Forester W Isen can be reached on 703-305-4386. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Jefferey F Harold
Examiner
Art Unit 2644



FORESTER W. ISEN
SUPERVISORY PATENT EXAMINER